

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION  
MAY 15, 2013**

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Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Vice-Chair Lloyd Kaufman, and Commissioner Danny Winborne, Community Planning Director Trudy Schwarz, Planner Rob Robinson and Recording Secretary Linda Kobylski.

**I. CONSENT**

AFP-2523-2013 -- Seneca Center II, LLC E-1 Zone  
18753 North Frederick Avenue #200  
Change of Use for Martial Arts Academy  
Parking Calculation Revision  
AMENDMENT TO FINAL PLAN REVIEW

Commissioner Winborne moved, seconded by Vice-Chair Kaufman,  
to APPROVE the CONSENT agenda.

Vote: 3-0

**II. RECOMMENDATION TO MAYOR AND CITY COUNCIL**

SDP-1842-2013 -- Application for schematic development plan approval in accordance with Annexation Petition X-182 and Sketch Plan Z-315, located in the Crown Property Neighborhood 1 (Outlot B, Block C), in Gaithersburg, Maryland. The subject application proposes the conversion of a multi-family building to 70 two-over-two condominium units. The subject property site is bordered by Copley Place and Diamondback Drive.

Planner Robinson located the site and gave an overview of the issues addressed during the public hearing held on April 15, 2013. Topics included the conversion, size and purpose of pocket green, elevations, connectivity and adequacy of parking. Discussion also included concern over emergency ingress/egress into and out of the site and explained the applicant's proposed amendment to the plan in response to these concerns. He also outlined the five proposed options in response to the issue of ingress/egress and indicated the applicant's preference of a non-paved access road off of Copley Place and into the neighborhood. This option would not require any loss of units or on street parking. He stated that staff prefers option two which would result in the loss of one unit but creates a true entrance and exit.

Chair Bauer expressed concerns with Option 1 (one) as it results in a dead end street, especially when guidelines encourage multiple connectivity and grids. He also voiced concerns that the access road would be used by non-emergency vehicles for parking, in essence blocking access for emergency vehicles. Chair Bauer stated he would favor a more permanent drive.

Vice-Chair Kaufman asked who would be responsible for maintaining a grasscrete surface road to which Planner Robinson responded the Homeowners Association. Vice-Chair Kaufman stated his concerns with maintenance of grasscrete, particularly when there is snowfall accumulation.

Chair Bauer again voiced his concern with connectivity. He also stated it is not yet a final plan, if the number of units must change, or a shift in forest conservation delineation must occur to make it work, the applicant should, stating that at the Schematic Development Plan stage they should make the connectivity work and it should be the recommendation.

Applicant Karl Alt, Westbrook Properties, explained that Option 1(A), which would not extend Copley Place, would result in the loss of two units. He also stated Option 2 (two), with an extension of Copley Place results in the loss of two units, an increase in impervious surface, affects forest conservation and a loss of on-street parking. Mr. Alt also stated Option 3 (three) was complicated by a major grade difference.

Vice-Chair Kaufman responded there was a surplus in parking and that two of the three options being considered result in the loss of one lot, two units.

Planner Robinson explained that options that include exits onto Decoverly Drive were not viable from an engineering perspective, and would direct residents away from Crown and links to highways and back into the residential neighborhoods in the County.

Chair Bauer asked if there were engineering or legal restrictions that would prevent Copley Place from being extended enough not to affect the number of units and turn back into the inside road to which Planner Robinson responded anything could be overcome with engineering. Chair Bauer indicated he did not support the grasscrete solution.

Vice-Chair Kaufman voiced concerns over customers exiting the bank onto Copley Place being directed back into the neighborhood. Chair Bauer indicated he did not believe it would be a problem and Commissioner Winborne stated signage could provide a remedy.

Chair Bauer reiterated that at this stage of the project, the plan should not result in a dead end street and the connectivity needs to be reasonable. Vice-Chair Kaufman concurred, recommending that staff work with the applicant to create a viable option that is acceptable to both parties. Commissioner Winborne suggested a possible hybrid of Option 2 that would extend Copley Place.

Chair Bauer, Vice-Chair Kaufman and Commissioner Winborne concurred the record should reflect Option 2 should be considered with possible modifications; the Commission is not adverse to the plan encroaching a bit on the existing outlot to maintain the unit count; and that the Commission would not support the grasscrete option.

Commissioner Kaufman moved, seconded by Commissioner Winborne to recommend SDP-1842-2013 – for APPROVAL to the City Council with the following two conditions:

1. Applicant is to work with staff to refine design details of the secondary access prior to final plan approval in order to better promote circulation and prevent dead ends; and
2. Applicant is to amend the comprehensive Forest Conservation Plan for approval prior to submission of any Neighborhood 3 planning applications.

Vote: 3-0

III. FROM THE COMMISSIONCommissioner Winborne

Commented on the upcoming Book Festival scheduled for this Saturday, May 18<sup>th</sup> and encouraged all to attend.

IV. FROM STAFFCommunity Planning Director Schwarz

Commented on her participation in a recent Work Session with the Mayor and City Council concerning the re-design of Constitution Gardens. She gave a brief overview of the project and gave a Power Point presentation.

Stated the Commission's meetings in June would follow the regular calendar and a joint public hearing with the City Council is scheduled for July 1, 2013 regarding a text amendment for the Board of Appeals.

V. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 8:21 p.m.

Respectfully submitted,

Linda Kobylski  
Recording Secretary